

**FILED**

**APR 26 2010**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

JIM R. SCARTH (2870)  
Kane County Attorney  
76 North Main Street  
Kanab, Utah 84741  
Telephone: (435) 644-5278  
Facsimile: (435) 644-8156


**BEFORE THE BOARD OF OIL, GAS, AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

<p><b>SOUTHERN UTAH WILDERNESS ALLIANCE, et al,</b></p> <p><b>Petitioners,</b></p> <p><b>v.</b></p> <p><b>DIVISION OF OIL, GAS, &amp; MINING, DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH,</b></p> <p><b>Respondent.</b></p>	<p><b>KANE COUNTY'S JOINDER IN RESPONDENT ALTON COAL DEVELOPMENT, LLC'S MOTION AND MEMORANDUM IN SUPPORT OF PARTIAL SUMMARY JUDGMENT</b></p> <p><b>Docket No. 2009-019</b></p> <p><b>Cause C/025/0005</b></p>
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COMES NOW Intervenor Kane County, by and through its counsel of record, Jim R. Scarth, and hereby fully joins Alton Coal Development, LLC in its pleading titled "Respondent Alton Coal Development, LLC's Motion and Memorandum in Support of Partial Summary Judgment."

Kane County hereby adopts the objections, reasoning, positions and arguments set forth in said document, and moves the Board to grant Alton Coal Development's motion for partial summary judgment.

DATED this 22<sup>nd</sup> of April, 2010.

  
Jim R. Scarth, Attorney for  
Intervenor Kane County

### CERTIFICATE OF SERVICE

On April 21, 2010, I sent this Joinder to be filed with Julie Ann Carter, Secretary of the Board of the Board of Oil, Gas, and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah, 84116, and mailed a copy, first-class postage prepaid, to:

Bennett E. Bayer, Esq.  
Landrum & Shouse LLP  
106 West Vine Street, Suite 800  
Lexington, KY 40507

Denise A. Dragoo  
James P. Allen  
Snell & Wilmer, L.L.P.  
15 West South Temple, Suite 1200  
Salt Lake City, Utah 84101

Stephen Bloch, Esq.  
Tiffany Barz, Esq.  
Southern Utah Wilderness Alliance  
425 East 100 South  
Salt Lake City, Utah 84111

Walton Morris, Esq. Morris Law Office, P.C.  
1901 Pleasant Lane  
Charlottesville, VA 22901

Sharon Buccino, Esq.  
Natural Resources Defense Council  
1200 New York Ave, N.W., Suite 400  
Washington, DC 20005

Michael Johnson, Esq.  
Assistant Attorney General  
160 East 300 South, 5<sup>th</sup> Floor  
P.O. Box 140857  
Salt Lake City, UT 84114-0857

Steven F. Alder, Esq.  
Assistant Attorney General  
160 East 300 South, 5<sup>th</sup> Floor  
P.O. Box 140857  
Salt Lake City, UT 84114-0857

A handwritten signature in blue ink, reading "Brian M. Alder", written over a horizontal line.